

## **REMARKS**

Claims 1, 4, 5 and 9-14 were pending.

Claims 1, 4, 5, and 9-14 were rejected.

### **The Rejection Of Claim 1 On The Basis Of Obviousness Double-Patenting In View Of Mechanic '682 And Okochi Or Pagenkopf:**

Claim 1 was rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of Mechanic '682 (US 6,229,682) in view of Okochi (US 5,179,362) or Pagenkopf (US 6,218,913). The Applicant respectfully disagrees.

The invention of claim 1 would not have been obvious over claims 1 and 2 of Mechanic '682 in view of Okochi or Pagenkopf since the invention of claim 1 provides an unexpected result.

In particular, as described in the attached DECLARATION OF BAHRAM MECHANIC ("the MECHANIC DECLARATION"), the Smart Power Systems Copier Guardian TBF15C-1121TN product is an embodiment of the invention of the present application. See MECHANIC DECLARATION at ¶3. The Smart Power Systems Copier Guardian TBF15C-1121TN product and other prior art competitor products were tested by the PowerCET Corporation that included a) surge voltage testing; b) momentary over-voltages; and c) wiring problems. See MECHANIC DECLARATION at ¶¶4-8. The PowerCET Corporation is an independent consulting firm specializing in power quality and electromagnetic environment conditions. See MECHANIC DECLARATION at ¶5. PowerCET is not affiliated with any manufacturers of power conditioning equipment nor does PowerCET represent or resell power protection and mitigation equipment. See MECHANIC DECLARATION at ¶5.

The results for the surge voltage tests included the following comparative results:

## Numeric test results

Table 1 - Synopsis of numeric test results.

6 kV Normal Mode (L/N applied test pulse & L/N measured differential voltage)			
	Volts Peak-to-Peak	Vmax	Vmin
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3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage)			
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EFI TVSS	436	216	-220
Panamax Max Image Pro	10.9	8.80	-2.10
ESP Digital QC	12.9	13.4	0.50
Oneac FilterOne	9.16	6.36	-2.80

See MECHANIC DECLARATION at ¶9. The results for the 3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage) portion of the Surge Voltage Tests illustrated immediately above may be summarized as follows:

<u>Product</u>	<u>Pass-Through Voltage</u> <u>Peak-To-Peak</u>	<u>Percent Difference</u> <u>Versus The Smart</u> <u>Power Copier</u> <u>Guardian</u>
Smart Power Systems Copier Guardian model TBF15C-1121TN	0.360 V	N/A
EFI TVSS model DPF12015NR	436 V	121,111 % Greater
Panamax ImagePro 15 Amp	10.9 V	3027 % Greater
ESP Digital QC model D5130NT	12.0 V	3333 % Greater

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Oneac Filter One	9.16 V	2544 % Greater

See MECHANIC DECLARATION at ¶10.

The acceptable voltage for a neutral-ground spike in the industry is less than 0.5 volts. See MECHANIC DECLARATION at ¶11. Thus, the Smart Power Systems Copier Guardian model TBF15C-1121TN was the only product tested in the 3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage) portion of the surge voltage tests that met the industry standard. See MECHANIC DECLARATION at ¶11.

The circuit elements within the Smart Power Systems Copier Guardian model TBF15C-1121TN that provided the results described above were provided through the use of the L-C filter between neutral and ground. See MECHANIC DECLARATION at ¶11.

The fact that the Smart Power Systems Copier Guardian model TBF15C-1121TN was the only product tested the 3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage) portion of the surge voltage tests that met the industry standard for a neutral-ground spike was an unexpected result. See MECHANIC DECLARATION at ¶12.

The fact that the Smart Power Systems Copier Guardian model TBF15C-1121TN was the only product tested the 3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage) portion of the surge voltage tests that provided a peak-to-peak pass through voltage that was anywhere from 2544 to 121,111 % less than that for the competitor products tested was an unexpected result. See MECHANIC DECLARATION at ¶13.

Thus, as demonstrated by the MECHANIC DECLARATION, the invention of claim 1 is not obvious in view of claims 1 and 2 of Mechanic '682 in view of Okochi or Pagenkopf because: a) an embodiment of the invention of claim 1 was tested; b) a comparison of the test results for the embodiment of claim 1 were made with that of other prior art products; c) the comparative test results were provided by an independent third party testing company and are therefore objective and from a trusted source; d) unexpectedly better test results were obtained for the embodiment of claim 1 versus the prior art products; and e) the unexpected differences in the test results between the embodiment of claim 1 and the prior art products were provided by the L-C filter between neutral and ground included in the embodiment of claim 1 that was tested.

Therefore, claim 1 is obvious over claims 1 and 2 of Mechanic '682 in view of Okochi or Pagenkopf.

**The Rejection Of Claim 1 On The Basis Of Obviousness Double-Patenting In View Of Mechanic '086 And Okochi Or Pegenkopf:**

Claim 1 was rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of Mechanic '086 (US 6,560,086) in view of Okochi (US 5,179,362) or Pagenkopf (US 6,218,913). The Applicant respectfully disagrees.

The invention of claim 1 would not have been obvious over claims 1 and 2 of Mechanic '086 in view of Okochi or Pagenkopf since the invention of claim 1 provides an unexpected result.

In particular, as described in the attached DECLARATION OF BAHRAM MECHANIC ("the MECHANIC DECLARATION"), the Smart Power Systems Copier Guardian TBF15C-1121TN product is an embodiment of the invention of the present application. See MECHANIC DECLARATION at ¶3. The Smart Power Systems Copier Guardian TBF15C-1121TN product and other prior art competitor products were tested by the PowerCET Corporation that included a) surge voltage testing; b) momentary over-voltages; and c) wiring problems. See MECHANIC DECLARATION at ¶¶4-8. The PowerCET Corporation is an independent consulting firm specializing in power quality and electromagnetic environment conditions. See MECHANIC DECLARATION at ¶5. PowerCET is not affiliated with any manufacturers of power conditioning equipment nor does PowerCET represent or resell power protection and mitigation equipment. See MECHANIC DECLARATION at ¶5.

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Table 1 - Synopsis of numeric test results.

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3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage)			
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See MECHANIC DECLARATION at ¶9. The results for the 3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage) portion of the Surge Voltage Tests illustrated immediately above may be summarized as follows:

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Thus, as demonstrated by the MECHANIC DECLARATION, the invention of claim 1 is not obvious in view of claims 1 and 2 of Mechanic '086 in view of Okochi or Pagenkopf because: a) an embodiment of the invention of claim 1 was tested; b) a comparison of the test results for the embodiment of claim 1 were made with that of other prior art products; c) the comparative test results were provided by an independent third party testing company and are therefore objective and from a trusted source; d) unexpectedly better test results were obtained for the embodiment of claim 1 versus the prior art products; and e) the unexpected differences in the test results between the embodiment of claim 1 and the prior art products were provided by the L-C filter between neutral and ground included in the embodiment of claim 1 that was tested.

Therefore, claim 1 is obvious over claims 1 and 2 of Mechanic '086 in view of Okochi or Pagenkopf.

**The Rejection Of Claims 1, 4 and 13-14 As Being Obvious In View Of Lawrence And Winch et al.:**

Claims 1, 4 and 13-14 were rejected as being obvious in view of Lawrence (US 5,179,490) and Winch (US 6,040,969). The Applicant respectfully disagrees.

The invention of claims 1, 4 and 13-14 would not have been obvious over Lawrence and Winch since the invention of claims 1, 4 and 13-14 provides an unexpected result.

In particular, as described in the attached DECLARATION OF BAHRAM MECHANIC ("the MECHANIC DECLARATION"), the Smart Power Systems Copier Guardian TBF15C-1121TN product is an embodiment of the invention of the present



application. See MECHANIC DECLARATION at ¶¶3. The Smart Power Systems Copier Guardian TBF15C-1121TN product and other prior art competitor products were tested by the PowerCET Corporation that included a) surge voltage testing; b) momentary over-voltages; and c) wiring problems. See MECHANIC DECLARATION at ¶¶4-8. The PowerCET Corporation is an independent consulting firm specializing in power quality and electromagnetic environment conditions. See MECHANIC DECLARATION at ¶¶5. PowerCET is not affiliated with any manufacturers of power conditioning equipment nor does PowerCET represent or resell power protection and mitigation equipment. See MECHANIC DECLARATION at ¶¶5.

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See MECHANIC DECLARATION at ¶¶9. The results for the 3 kV Common Mode (N/G applied test pulse & N/G measured differential voltage) portion of the Surge Voltage Tests illustrated immediately above may be summarized as follows:

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Thus, as demonstrated by the MECHANIC DECLARATION, the invention of claims 1, 4 and 13-14 is not obvious in view of Lawrence and Winch because: a) an embodiment of the invention of claims 1, 4 and 13-14 was tested; b) a comparison of the test results for the embodiment of claims 1, 4 and 13-14 were made with that of other prior art products; c) the comparative test results were provided by an independent third party testing company and are therefore objective and from a trusted source; d) unexpectedly better test results were obtained for the embodiment of claims 1, 4 and 13-14 versus the prior art products; and e) the unexpected differences in the test results between the embodiment of claims 1, 4 and 13-14 and the prior art products were provided by the L-C filter between neutral and ground included in the embodiment of claims 1, 4 and 13-14 that was tested.

Therefore, claims 1, 4 and 13-14 are not obvious in view of Lawrence and Winch.

**The Rejection Of Claims 5 and 9-12 As Being Obvious In View Of Lawrence,**

**Winch et al. and Mechanic:**

Claims 5 and 9-12 were rejected as being obvious in view of Lawrence, Winch and Mechanic '682. The Applicant respectfully disagrees.

The invention of claims 5 and 9-12 would not have been obvious over Lawrence, Winch and Mechanic '682 since the invention of claims 5 and 9-12 provides an unexpected result.

In particular, as described in the attached DECLARATION OF BAHRAM MECHANIC ("the MECHANIC DECLARATION"), the Smart Power Systems Copier Guardian TBF15C-1121TN product is an embodiment of the invention of the present application. See MECHANIC DECLARATION at ¶3. The Smart Power Systems Copier Guardian TBF15C-1121TN product and other prior art competitor products were tested by the PowerCET Corporation that included a) surge voltage testing; b) momentary over-voltages; and c) wiring problems. See MECHANIC DECLARATION at ¶¶4-8. The PowerCET Corporation is an independent consulting firm specializing in power quality and electromagnetic environment conditions. See MECHANIC DECLARATION at ¶5. PowerCET is not affiliated with any manufacturers of power conditioning equipment nor does PowerCET represent or resell power protection and mitigation equipment. See MECHANIC DECLARATION at ¶5.

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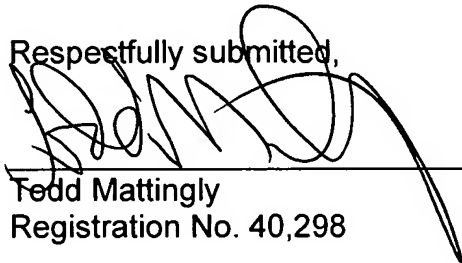
Thus, as demonstrated by the MECHANIC DECLARATION, the invention of claims 5 and 9-12 are not obvious in view of Lawrence, Winch and Mechanic '682 because: a) an embodiment of the invention of claims 5 and 9-12 was tested; b) a comparison of the test results for the embodiment of claims 5 and 9-12 were made with that of other prior art products; c) the comparative test results were provided by an independent third party testing company and are therefore objective and from a trusted source; d) unexpectedly better test results were obtained for the embodiment of claims 5 and 9-12 versus the prior art products; and e) the unexpected differences in the test results between the embodiment of claims 5 and 9-12 and the prior art products were provided by the L-C filter between neutral and ground included in the embodiment of claims 5 and 9-12 that was tested.

Therefore, claims 5 and 9-12 are not obvious in view of Lawrence, Winch and Mechanic '682.

### Conclusion

In summary, for reasons detailed above, it is submitted the claims now present in the application are allowable. Accordingly, allowance of all claims is submitted to be in order, and such action is respectfully requested. Applicants request early notice if there are any outstanding issues that have not been addressed in this response. The Commissioner is authorized to charge any additional fees incurred in this application to Deposit Account No. 50-0259. Should the Examiner have any inquiries concerning this matter, please direct telephone calls to the undersigned at (713) 221-1377.

Respectfully submitted,



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Todd Mattingly  
Registration No. 40,298

BRACEWELL & GIULIANI LLP  
711 Louisiana, Suite 2300  
Houston, Texas 77002  
Phone: 713/221-1354  
Fax: 713/222-3288  
E-mail: [todd.mattingly@bgllp.com](mailto:todd.mattingly@bgllp.com)